



Please type a plus sign (+) inside this box  +

PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

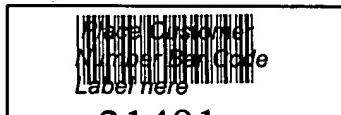
### Complete if Known

Application Number	09/818,975
Filing Date	27-Mar-2001
First Named Inventor	Sanderson, L. Wayne, et al.
Group Art Unit	
Examiner Name	
Attorney Docket	00-0564-56/US

I hereby appoint:

Practitioners at Customer Number

021491



OR

Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City	State	Zip	
Country			
Telephone	Fax		

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Steven T. Westbrook

Name

Signature

Date

5-10-2001

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner of Patents, Washington, DC 20231.



## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: L. Wayne Sanderson; Jack L. Hayes

Application No./Patent No.: 09/818,975 Filed/Issue Date: March 27, 2001

Entitled: Loss Compensating Optical Splitter

Verilink Corporation, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5-10-2001

Steven T. Westbrook

Date

Typed of printed name

Signature

Vice President of Operations

Title

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned do hereby:

SELL, ASSIGN AND TRANSFER to Verilink Corporation, a Delaware corporation having a place of business at **950 Explorer Boulevard, Huntsville, Alabama 35806**, the entire right, title and interest for the United States and all foreign countries in and to any and all inventions and/or improvements which are disclosed in the Non-provisional Patent Application Serial No.: 09/818,975, filed March 27, 2001, which is entitled, "**LOSS COMPENSATING OPTICAL SPLITTER**" such application, and all provisional, divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such inventions and/or improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such inventions and/or improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such inventions and/or improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all non-provisional, divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such inventions and/or improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such inventions and/or improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such inventions and/or improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such inventions and/or improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: L. Wayne Sanderson  
L. Wayne Sanderson

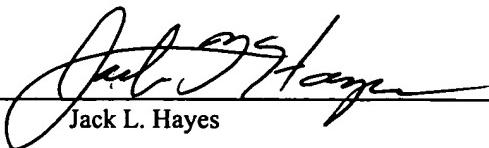
Date: 5/9/2001

STATE OF TENNESSEE  
COUNTY OF LINCOLN

BEFORE ME, the undersigned authority, on this 9<sup>th</sup> day of May, 2001, personally appeared L. Wayne Sanderson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Michael Teng  
Notary Public

Signature:



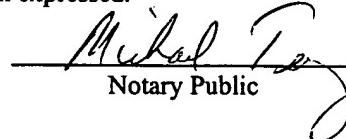
Jack L. Hayes

Date:

5/8/01

STATE OF ALABAMA  
COUNTY OF MADISON

BEFORE ME, the undersigned authority, on this 8 day of February, 2001, personally appeared Jack L. Hayes, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

  
\_\_\_\_\_  
Notary Public

\\\NTSERVER\_1\PATENT\CLIENTS\Verilink\00-0564.56\FormsNotFiledwithNon-Provisional\NonProvAssignment.doc